

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA**

**UNITED STATES OF AMERICA,
PLAINTIFF,**

CASE NO.2:06cr00094-WKW

v.

**WILLIE DEWHART,
DEFENDANT.**

MOTION TO TRANSPORT DEWHART FOR PSYCHOLOGICAL EVALUATION

Comes now Willie Dewhart, by and through undersigned Counsel, and files this motion for a Court order directing the United States Marshal Service to transport Dewhart to the Marshal's Office on March 20, 2008 for an independent psychological evaluation, and in support thereof states the following:

1. Dewhart is presently in custody at the Montgomery City Jail awaiting trial on pending drug charges.
2. The undersigned filed a motion for a psychiatric evaluation. Dewhart has been sent to two Bureau of Prisons facilities for evaluation.
3. This Court approved the funds for an independent psychological evaluation. Dr. Daniel Koch, Clinical Psychologist, 2411 Old Shell Road, Mobile, Alabama 36607, telephone number 251-479-3019, has been working on the case.
4. While Dr. Koch has agreed to do the evaluation on Dewhart on March 20, 2008, he is requesting that Dewhart be transported to a private room in the Marshal's Office for purposes of testing. Dr. Koch expects the testing to last all day. Dr. Koch states that the City Jail does not even provide a desk on which he can work. He adds that no meaningful evaluation can occur in the city jail due to the conditions.

7. Wherefore Dewhart is respectfully requesting that the Court direct the United States Marshal Service to transport him to the Marshal's Office for the evaluation which is to be conducted on March 20, 2008. Dewhart can then be returned to the Montgomery City Jail for holding until his case concludes.

Respectfully submitted,

s/Susan G. James
SUSAN G. JAMES
Attorney at Law
600 South McDonough Street
Montgomery, Alabama 36104
Phone: (334) 269-3330
Fax: (334) 834-0353
E-mail: sgjamesandassoc@aol.com
Bar No: JAM012

CERTIFICATE OF SERVICE

I hereby certify that on March 8, 2008, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Tommie Hardwick
Assistant United States Attorney
P.O. Box 197
Montgomery, Alabama, 36101

Respectfully submitted,

s/Susan G. James
SUSAN G. JAMES
Attorney at Law
600 South McDonough Street
Montgomery, Alabama 36104
Phone: (334) 269-3330
Fax: (334) 834-0353
E-mail: sgjamesandassoc@aol.com
Bar No: JAM012